IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

DATE OF DECISION: 25. 9.2007

Ved Parkash **...Appellant**

VERSUS

Rattanjit Singh **…Respondent**

CORAM

HON'BLE MR.JUSTICE PERMOD KOHLI

PRESENT: Mr.Parvesh Saini, Advocate for the appellant

Permod Kohli, J. (Oral)

CM No.19976-CII of 2006

This is an application for condonation of delay in re-filing the appeal. The application is supported with affidavit. For the reasons recorded therein, delay in refilling the appeal is condoned.

FAO No.4560 of 2006

This is claimant's appeal against the award dated 4.2.2006 whereby an amount of Rs.25,000/- in lump sum has been awarded to the claimant/appellant as compensation for the injuries sustained by him in the motor vehicular accident. The appellant/claimant seeks

enhancement of the amount on the ground that he has suffered 2% permanent disability and also remained hospitalized for a period of more than one month. The Tribunal has considered the material on record and found that nothing has come on record to show that the disability is permanent in nature. The medical evidence has been considered wherein it has been recorded that the disability has occurred on account of "mild muscle wasting of left thigh". This injury cannot be said to be permanent in nature. The appellant has produced evidence of medical expenses only to the extent of Rs.1184/-. It has come on record that he remained hospitalized for a period of one month. Keeping in view the pain and suffering and the nature of injury, the Tribunal has awarded Rs.25,000/- as lump sum compensation. He is also awarded interest at the rate of 7.5% per annum from the date of filing of the claim petition till the date of realization of amount. I do not find that the claimant is entitled to any thing more than what has been awarded to him as compensation on the basis of material on record as noticed above.

In view of the above, I find no merit in this appeal which is accordingly dismissed.

(PERMOD KOHLI)
JUDGE

25.9.2007
MFK

NOTE:Whether to be referred to Reporter or not:NO